

Remarks

Claims 1-37 are pending. Claims 2-4, 9 and 14-15 are canceled by way of the present amendments to the claims. Claims 1, 5-8, 10-13 and 16-37 are presently under examination.

I. Rejection under 35 USC §112, First Paragraph:

Examiner has rejected claims 1-37 as allegedly failing to comply with the written description requirement. Applicant submits this alleged defect as cured by way of the present amendments to the claims. Specifically, the claims now recite the recitations "pA:pU" or "pA" to describe the specific dsRNA or ssRNA, respectively, to be used in the claims. Support for the amendments is found through the specification and the original claims as filed.

II. Rejection under 35 USC §102(b):

Examiner has rejected claims 1-4, 7, 11-13, 16-21, 24-30 and 32-35 as being allegedly anticipated by US 5,976,800 ("Lau") and claims 11-13, 16, 18, 21, 24-26, 28-30 and 32 as being allegedly anticipated by Romero et al. ("Romero").

Applicant respectfully submits the claims as presently amended are not anticipated by Lau. Specifically, Lau teaches use of polyI:C for use as chemotherapeutic agents. The present claims now recite polyA:U as the focus of the dsRNA to be administered. With respect to ssRNA, polyA is recited while Lau is silent on use of ssRNA for a therapeutic.

Furthermore, the claims are not anticipated by Romero, as Romero teaches administration of polyU only, which is not one of the recitations in the claims as presently presented.

Accordingly, Applicant respectfully requests Examiner withdraw the outstanding §102(b) rejection in light of the present arguments and claim amendments. Applicant is filing this response concurrently with a petition for a one month extension of time. Applicant authorizes the Office to deduct any fees, or credit any overpayments, to Deposit Account No. 502235.

Respectfully submitted,

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